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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,953	06/24/2003	Naveed Mirza	CS21214RL	1085
20280	7590	06/15/2005	EXAMINER	
MOTOROLA INC 600 NORTH US HIGHWAY 45 ROOM AS437 LIBERTYVILLE, IL 60048-5343			NGUYEN, HUY D	
			ART UNIT	PAPER NUMBER
			2681	

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/602,953

Applicant(s)

MIRZA ET AL.

Examiner

Huy D. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 02/03/2005 have been fully considered but they are not persuasive.

In the Remarks filed on 2/03/2005, the applicants submitted that Barvesten does not disclose or suggest a housing having an exterior, the exterior including a first face side and a second face side, the second face side located on an opposite side of the housing from the first face side, a numeric keypad disposed on the first face side; a second display disposed on the second face side; and a text keypad disposed on the second face side. The examiner states that Barvesten teaches a portable communication apparatus 1 together with an accessory device 2 to form a unit that has two face sides opposite to each other (see figures 1-2 and column 3, lines 30-45). The first face side has keypad 16. The second face side has keyboard 22 and display 32.

The applicants also asserted that Barvesten does not disclose or suggest a unitary housing including a first face side and a second face side, the second face side located on an opposite side of the housing from the first face side. The examiner states that communication apparatus 1 when connected with accessory device 2 forms a unitary housing that has two face sides opposite to each other (see figures 1 and 3).

The applicants also asserted that Barvesten does not disclose or suggest a candy-bar style housing having a first face side and a second face side, the second face side located on an opposite side of the housing from the first face side. The examiner states that communication apparatus 1 when connected with accessory device 2 forms a candy-bar style housing that has two face sides opposite to each other (see figures 1 and 3).

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 11 and 20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Limitation “a third side orthogonal to the first face side and the second face side, the third side coupled to the first face side and the second face side” is not described in the specification.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-6, 8-9, 12-17, 21-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Barvesten (U.S. Patent No. 6,714,802).

Regarding claims 1, 12, 21-22, Barvesten teaches a mobile communication device, comprising: a housing having an exterior, the exterior including a first face side and a second face side, the second face side located on an opposite side of the housing from the first face side; a first display disposed on the first face side; a numeric keypad disposed on the first face side; a second display disposed on the second face side; and a text keypad disposed on the second face side (Figs 1-3; Col. 3, lines 30-67; Col. 4, lines 1-44 and Abstract).

Regarding claims 2, 14, Barvesten teaches the mobile communication device according to claim 1, wherein the numeric keypad comprises a telephone keypad and text keypad comprises a QWERTY keypad (Figs 1-3; Col. 4, lines 7-27).

Regarding claim 3, Barvesten teaches the mobile communication device according to claim 1, wherein the housing comprises a candy bar phone style housing (Figs 1-3).

Regarding claim 4, Barvesten teaches the mobile communication device according to claim 1, wherein the second display comprises a display configured to display at least one line of text (Fig. 2).

Regarding claim 5, Barvesten teaches the mobile communication device according to claim 1, further comprising a speaker disposed on the first face side, the speaker located on a first side of the first display, and a microphone disposed on the first face side, the microphone located on a second side of the first display (Fig. 1; Col. 3, lines 29-40).

Regarding claims 6, 13, 15, Barvesten teaches the mobile communication device according to claim 1, further comprising: a user interface including the numeric keypad, the user interface also including at least one mobile communication device input device; and a controller coupled to the user interface, the first display, the second display, and the text keypad, the

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controller configured to receive signals from the user interface and activate and deactivate the text keypad based on the signals received from the user interface (Figs 1-4; Col. 3, lines 30-67; Col. 4, lines 1-44; Col. 5, lines 31-67; Col. 6, lines 1-33).

Regarding claims 8, 16, Barvesten teaches the mobile communication device according to claim 1, further comprising a third display disposed on the second face side, wherein the third display is configured to display at least one line of text (Fig. 2; Col. 4, lines 7-27).

Regarding claims 9, 17, Barvesten teaches the mobile communication device according to claim 1, wherein the second display substantially surrounds the text keypad disposed on the second face side (Fig. 2; Col. 4, lines 7-27).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barvesten (U.S. Patent No. 6,714,802) in view of Riddiford (U.S. Patent No. 6,587,675).

Regarding claim 7, Barvesten fail to teach the mobile communication device according to claim 1, wherein the text keypad is operated in a position orthogonal to a position of numeric keypad operation. However, the preceding limitation is taught in Riddiford (Figs. 1 & 2). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the

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invention, to modify the communication device of Barvesten with the teaching of Riddiford to provide more flexibility for users.

8. Claims 10, 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barvesten (U.S. Patent No. 6,714,802) in view of Steele et al. (U.S. Patent Application Pub. No. 2004/0110490).

Regarding claims 10, 18, Barvesten fails to teach the mobile communication device according to claim 9, wherein the second display is configured to display scrolling text by scrolling the text around the text keypad disposed on the second face side. However, the preceding limitation is taught in Steele et al. (paragraph 0080). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to modify the communication device of Barvesten with the teaching of Steele et al. to provide attraction.

Regarding claim 19, Barvesten fails to teach the portable phone according to claim 12, wherein the text input device comprises a touch screen.. However, the preceding limitation is taught in Steele et al. (paragraph 00141). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to apply the teaching of Steele et al. to the teaching of Barvesten provide convenience for users.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D. Nguyen whose telephone number is 571-272-7845. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ^{Joseph Feild} ~~Emmanuel Moise~~ can be reached on ⁵⁷¹⁻²⁷²⁻⁴⁰⁹⁰ ~~703-306-0003~~. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Huy
Huy Nguyen

Joseph Feild
JOSEPH FEILD
SUPERVISORY PATENT EXAMINER